IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1455 OF 2005
IN
SUIT NO.941 OF 1987

Naranji Gokuldas Thakkar Plaintiff

versus

Devji Gokuldas Thakkar Defendant

and

Pushpadevi Naranji Thakkar
Applicants'

Vinay Bhate for defendant.

V.Mirasee for plaintiff i/by Shah & Sanghavi.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13th June 2006

PC :

1. The sole plaintiff has expired on 19th May 2005 and the applicants who are his heirs and legal representatives are being brought on record to prosecute the suit. The Chamber Summons is taken out on 23rd November 2005 and there is a delay of about 82 days in instituting the same.

2. In the affidavit in support the reason for

delay is sufficiently explained. Upon applicants getting necessary details, they approached the advocate. In such applications liberal principles have to be applied for condoning the delays.

3. In the above circumstances, Chamber Summons is made absolute in terms of prayer clauses (a) to (c). No order as to costs.

4. Amendment to be carried out within two weeks from today. Amended copy of plaint to be served four weeks thereafter.

(S.C.DHARMADHIKARI, J.)